



U.S. Department of Homeland Security
UNITED STATES SECRET SERVICE

JUN - 7 2019

REGISTERED MAIL

Richard Elem, Esq.
Law Offices of Jan Meyer & Assoc., P.C.
1029 Teaneck Road
Second Floor
Teaneck, NJ 07666

Re: GEICO Claim 0509535540101020
Date of Accident: September 23, 2016
Secret Service File No. 108-809-306081

Dear Mr. Elem:

We are in receipt of the supporting documents that you submitted to the United States Secret Service (Secret Service) and the previously submitted Standard Form 95 that was submitted regarding damages arising from an accident on September 23, 2016 between a motor vehicle insured by your client, GEICO, and driven by Kellie Murphy, and a vehicle driven by a Secret Service employee.

Under the provisions of Title 28, United States Code, Section 2672, the Department of Homeland Security is liable for damages including loss of property caused by negligent or wrongful acts or omissions of an employee acting within the scope of his or her employment under circumstances where the United States, if a private person, would be liable.

We have reviewed the facts and circumstances surrounding this incident. Our investigation into the matter has revealed that your insured struck our vehicle as it was merging into our vehicle's lane, because she failed to yield to our vehicle which was already in the lane. Consequently, the damage to your insured's vehicle was caused by your insured's negligence and not from our employee's negligence. Therefore, we must deny the claim.

Please be advised that if you are dissatisfied with this denial letter, you may institute suit in the appropriate Federal district court under the Federal Tort Claims Act no later than six (6) months from the date of this letter.

If you have any questions regarding the foregoing, you may contact Attorney-Advisor Michael Noyes at (202) 406-6896.

Sincerely,

William J. Callahan
Deputy Director

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